

PROB 12C
(7/93)

Report Date: August 16, 2012

United States District Court

FILED IN THE
U.S. DISTRICT COURT
Eastern District of Washington

for the

AUG 21 2012

Eastern District of Washington

JAMES R. LARSEN, Clerk

Spokane, Washington Deputy

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Edward Eugene Carter

Case Number: 2:06CR00029-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 5/9/2007

Original Offense: Assault Resulting in Serious Bodily Injury, 18 U.S.C. § 1151, 1153(a), and 113(a)(6)

Original Sentence: Prison - 40 Months
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Tim Durkin

Date Supervision Commenced: 5/24/2011

Defense Attorney: Robert Fisher

Date Supervision Expires: 3/23/2013

PETITIONING THE COURT

To issue a Summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>Standard Condition #9: The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.</p> <p>Supporting Evidence: On August 6, 2012, the offender self disclosed contact with Teresa Mitchell, a known felon. Criminal records information confirmed that Ms. Mitchell is a felon with an active warrant out of Los Angeles, California.</p>
2	<p>Special Condition # 18: You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.</p> <p>Supporting Evidence: The offender failed to appear for substance abuse treatment on July 31, 2012 and August 7, 2012. It is noted that the offender has remained engaged in substance abuse counseling since supervision resumed on May 24, 2011. However, he has consistently failed to appear for counseling sessions for various reasons during supervision.</p>

Re: Carter, Edward Eugene
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- 3 If the judgment imposed a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervision in accordance with any Schedule of Payments set forth in the Criminal Monetary Penalties sheet of the judgment. In any case, the defendant should cooperate with the probation officer in meeting any financial obligations.

Supporting Evidence: The offender has failed to remit payment toward the outstanding restitution as so ordered by the Court and pursuant to the restitution agreement signed on May 25, 2011. The offender is required to pay 10% of his gross household income each month. The offender failed to make payments from May - July 2012. Mr. Carter last remitted a payment of \$20.00 on August 6, 2012.

- 4 **Standard Condition # 5:** The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.

Supporting Evidence: The offender has failed to maintain employment or provide proof of earnings since December 2011.

- 5 **Standard Condition # 4:** The defendant shall support his or her dependents and meet other family responsibilities.

Supporting Evidence: The offender has failed to support his dependents and meet other family responsibilities. Mr. Carter has failed to provide proof of payment for outstanding child support obligations.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring Edward Eugene Carter to appear to answer to the allegation in the attached petition.

I declare under penalty of perjury that the foregoing is true and correct.

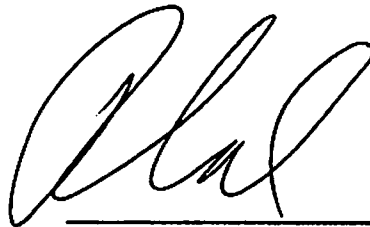
Executed on: 08/16/2012

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

August 21, 2012
Date